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May 17, 2008

JK Incoming  
C/025/0005  
cc: Daron  
Piscilla  
Dana

Department of Natural Resources  
Division of Oil, Gas & Mining  
P. O. Box 145801  
Salt Lake City, Utah 84114-5801

Re: Coal Hollow Mine, Alton Coal Development, LLC, 463 North 100 West, Suite 1, Cedar City,  
Utah 84720

Gentlemen:

The manager, Chris McCort, of the proposed Coal Hollow Mine has made a verbal commitment to the town of Alton that coal would not be hauled through the town. After questioning he stated that his commitment did not include the annexes to Alton.


My family and I, own land that was annexed to Alton for the purpose of subdividing into one acre residential building lots. The subdivision was approved by the town about 2 ½ years ago. Progress on the subdivision has been delayed by the planning board and culinary water issues. The town is working with the Kane County Water Conservancy District and expects to have the water situation resolved in the near future.

The Alton Coal Development, LLC, (the company) has attempted to purchase a part of our land to use for a haul road. Their offers have been turned down because the haul road would waste much of our land and seriously devalue the remainder as a result of the truck traffic. Furthermore, there are more direct, easier to maintain routes running West from the proposed mine area to highway 89.

We are concerned that after the company has obtained permits to mine the coal it plans to find a way to 'take' part of our land for their haul road through the West part of Alton. I have expressed my concern regards transportation at every public meeting held in this area, both verbally and in writing. To my knowledge the coal haul route has not been determined. Questions asked in public meetings regarding the haul route were answered by Mr. McCort in a vague manner with the implications they plan to go over our property. This type of 'taking' has been done in other instances.

I respectfully request that the Department of Natural Resources require the company to show the route and its right to use the route to transport the coal from the mine to US Highway 89 as a condition to issuing the permit. This action could help prevent costly and time wasting delays for all concerned.

Sincerely,



Richard Swapp  
P. O. Box 100794  
Alton, Utah 84710  
(435) 689-1985

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DIV. OF OIL, GAS & MINING